

36-1-101.1. Definitions.

As used in this part:

(1) "Census block" means any one of the 115,406 individual geographic areas into which the Bureau of the Census of the United States Department of Commerce has divided the state of Utah, to each of which the Bureau of the Census has attached a discrete population tabulation from the 2010 decennial census.

(2) "Senate block assignment file" means the electronic file that assigns each of Utah's 115,406 census blocks to a particular Utah State Senate district.

(3) "Senate shapefile" means the electronic shapefile that stores the boundary of each of the 29 Utah State Senate districts.

(4) "Shapefile" means the digital vector storage format for storing geometric location and associated attribute information.

Amended by Chapter 454, 2013 General Session

36-1-101.5. Utah State Senate -- District boundaries.

(1) As used in this section:

(a) "County boundary" means the county boundary's location in the database as of January 1, 2010.

(b) "Database" means the State Geographic Information Database created in Section 63F-1-507.

(c) "Local school district boundary" means the local school district boundary's location in the database as of January 1, 2010.

(d) "Municipal boundary" means the municipal boundary's location in the database as of January 1, 2010.

(2) The Utah State Senate shall consist of 29 members, with one member to be elected from each Utah State Senate district.

(3) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2010 national decennial census as the official data for establishing Senate district boundaries.

(4) (a) Notwithstanding Subsection (3), the Legislature enacts the district numbers and boundaries of the Senate districts designated in the Senate shapefile that is the electronic component of the bill that enacts this section.

(b) That Senate shapefile, and the Senate district boundaries generated from that Senate shapefile, may be accessed via the Utah Legislature's website.

Amended by Chapter 454, 2013 General Session

36-1-102. Election of senators -- Staggered terms.

(1) Unless otherwise provided by law, each senator elected from Senate Districts 2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22, and 26 at the 2010 General Election shall serve out the term of office for which he or she was elected and shall represent the realigned district if he or she resides in that district.

(2) At the general election to be held in 2012, senators elected from Senate Districts 1, 6, 7, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 shall be elected to

serve a term of office of four years.

(3) (a) Because the senator from Senate District 28 was appointed to fill a mid-term vacancy that occurred more than two years before the next regular general election, Subsection 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general election.

(b) Consequently:

(i) at the general election to be held in 2012, the senator elected from Senate District 28 shall be elected to serve a term of office of two years; and

(ii) at the general election to be held in 2014, the senator elected from Senate District 28 shall be elected to serve a term of office of four years.

(4) (a) If one of the incumbent senators from new Senate District 4 files written notice with the lieutenant governor by close of business on January 3, 2012, that the senator will not seek election to the Senate from that Senate District 4, that incumbent senator may serve until January 1, 2013, and the other incumbent senator from District 4 shall serve out the term for which the member was elected, which is until January 1, 2015.

(b) (i) If one of the incumbent senators in Senate District 4 does not file the written notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4 as an office to be filled in the 2012 regular general election in the notice of election required by Section 20A-5-101.

(ii) If the Subsection (4)(b)(i) contingency occurs:

(A) the senator elected from Senate District 4 at the 2012 regular general election shall be elected to serve a term of office of two years; and

(B) the senator elected from Senate District 4 at the 2014 regular general election shall be elected to serve a term of office of four years.

Amended by Chapter 7, 2011 Special Session 3

36-1-103. Senate districts -- Copies -- Legal boundaries.

(1) (a) The Legislature shall file a copy of the Senate shapefile enacted by the Legislature with the lieutenant governor's office.

(b) The legal boundaries of Senate districts are contained in the Senate shapefile on file with the lieutenant governor's office.

(2) (a) The lieutenant governor shall:

(i) generate maps of each Utah State Senate district from the Senate shapefile; and

(ii) ensure that those maps are available for viewing on the lieutenant governor's website.

(b) If there is any inconsistency between the maps and the Senate shapefile, the Senate shapefile is controlling.

Amended by Chapter 454, 2013 General Session

36-1-103.2. County clerk, Automated Geographic Reference Center, and lieutenant governor responsibilities -- Maps and voting precinct boundaries.

(1) As used in this section, "redistricting boundary data" means the Senate

shapefile.

(2) Each county clerk shall obtain a copy of the redistricting boundary data for the clerk's county from the lieutenant governor's office.

(3) (a) A county clerk may create one or more county maps that identify the boundaries of Senate districts as generated from the redistricting boundary data.

(b) Before publishing or distributing any map or data created by the county clerk that identifies the boundaries of Senate districts within the county, the clerk shall submit the county map and data to the lieutenant governor and to the Automated Geographic Reference Center for review.

(c) Within 30 days after receipt of a county map and data from a county clerk, the Automated Geographic Reference Center shall:

(i) review the county map and data to evaluate if the county map and data accurately reflect the boundaries of Senate districts established by the Legislature in the redistricting boundary data;

(ii) determine whether the county map and data are correct or incorrect; and

(iii) communicate those findings to the lieutenant governor.

(d) The lieutenant governor shall either notify the county clerk that the county map and data are correct or notify the county clerk that the county map and data are incorrect.

(e) If the county clerk receives notice from the lieutenant governor that the county map and data submitted are incorrect, the county clerk shall:

(i) make the corrections necessary to conform the county map and data to the redistricting boundary data; and

(ii) resubmit the corrected county map and data to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection (3).

(4) (a) Subject to the requirements of this Subsection (4), each county clerk shall establish voting precincts and polling places within each Senate district according to the procedures and requirements of Section 20A-5-303.

(b) Within five working days after approval of voting precincts and polling places by the county legislative body as required by Section 20A-5-303, each county clerk shall submit a voting precinct map identifying the boundaries of each voting precinct within the county to the lieutenant governor and to the Automated Geographic Reference Center for review.

(c) Within 30 days after receipt of a voting precinct map from a county clerk, the Automated Geographic Reference Center shall:

(i) review the voting precinct map to evaluate if the voting precinct map accurately reflects the boundaries of Senate districts established by the Legislature in the redistricting boundary data;

(ii) determine whether the voting precinct map is correct or incorrect; and

(iii) communicate those findings to the lieutenant governor.

(d) The lieutenant governor shall either notify the county clerk that the voting precinct map is correct or notify the county clerk that the map is incorrect.

(e) If the county clerk receives notice from the lieutenant governor that the voting precinct map is incorrect, the county clerk shall:

(i) make the corrections necessary to conform the voting precinct map to the

redistricting boundary data; and

(ii) resubmit the corrected voting precinct map to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection (4).

Amended by Chapter 454, 2013 General Session

36-1-104. Omissions from maps -- How resolved.

(1) If any area of the state is omitted from a Utah State Senate district in the Senate shapefile enacted by the Legislature, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate Senate district according to the requirements of Subsections (2) and (3).

(2) If the omitted area is surrounded by a single Senate district, the county clerk shall attach the area to that district.

(3) If the omitted area is contiguous to two or more Senate districts, the county clerk shall attach the area to the district that has the least population, as determined by the Utah Population Estimates Committee.

(4) The county clerk shall certify in writing and file with the lieutenant governor any attachment made under this section.

Amended by Chapter 454, 2013 General Session

36-1-105. Uncertain boundaries -- How resolved.

(1) As used in this section:

(a) "Affected party" means:

(i) a senator whose Utah State Senate district boundary is uncertain because the feature used to establish the district boundary in the Senate shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the senator or another person resides in a particular Senate district;

(ii) a candidate for senator whose Senate district boundary is uncertain because the feature used to establish the district boundary in the Senate shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the candidate or another person resides in a particular Senate district; or

(iii) a person who is uncertain about which Senate district contains the person's residence because the feature used to establish the district boundary in the Senate shapefile has been removed, modified, or is unable to be identified.

(b) "Feature" means a geographic or other tangible or intangible mark such as a road or political subdivision boundary that is used to establish a Senate district boundary.

(2) (a) An affected party may file a written request petitioning the lieutenant governor to determine:

(i) the precise location of the Senate district boundary;

(ii) the number of the Senate district in which a person resides; or

(iii) both Subsections (2)(a)(i) and (ii).

(b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review:

- (i) the Senate shapefile; and
- (ii) other relevant data such as aerial photographs, aerial maps, or other data about the area.
- (c) Within five days of receipt of the request, the lieutenant governor shall:
 - (i) review the Senate shapefile;
 - (ii) review any relevant data; and
 - (iii) make a determination.
- (d) When the lieutenant governor determines the location of the Senate district boundary, the lieutenant governor shall:
 - (i) prepare a certification identifying the appropriate Senate district boundary and attaching a map, if necessary; and
 - (ii) send a copy of the certification to:
 - (A) the affected party;
 - (B) the county clerk of the affected county; and
 - (C) the Automated Geographic Reference Center created under Section 63F-1-506.
- (e) If the lieutenant governor determines the number of the Senate district in which a particular person resides, the lieutenant governor shall send a letter identifying that district by number to:
 - (i) the person;
 - (ii) the affected party who filed the petition, if different than the person whose Senate district number was identified; and
 - (iii) the county clerk of the affected county.

Amended by Chapter 454, 2013 General Session

36-1-201.1. Definitions.

As used in this part:

- (1) "Census block" means any one of the 115, 406 individual geographic areas into which the Bureau of the Census of the United States Department of Commerce has divided the state of Utah, to each of which the Bureau of the Census has attached a discrete population tabulation from the 2010 decennial census.
- (2) "House block assignment file" means the electronic file that assigns each of Utah's 115, 406 census blocks to a particular Utah House district.
- (3) "House shapefile" means the electronic shapefile that stores the boundary of each of the 75 Utah House districts.
- (4) "Shapefile" means the digital vector storage format for storing geometric location and associated attribute information.

Amended by Chapter 382, 2013 General Session

36-1-201.5. Utah House of Representatives -- House district boundaries.

- (1) As used in this section:
 - (a) "County boundary" means the county boundary's location in the database as of January 1, 2010.
 - (b) "Database" means the State Geographic Information Database created in

Section 63F-1-507.

(c) "Local school district boundary" means the local school district boundary's location in the database as of January 1, 2010.

(d) "Municipal boundary" means the municipal boundary's location in the database as of January 1, 2010.

(2) The Utah House of Representatives shall consist of 75 members, with one member to be elected from each Utah House of Representative district.

(3) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2010 national decennial census as the official data for establishing House district boundaries.

(4) (a) Notwithstanding Subsection (3), the Legislature enacts the district numbers and boundaries of the House districts designated by the House shapefile that is the electronic component of the bill that enacts this section.

(b) That House shapefile, and the legislative boundaries generated from that shapefile, may be accessed via the Utah Legislature's website.

Amended by Chapter 382, 2013 General Session

36-1-202. House districts -- Filing -- Legal boundaries.

(1) (a) The Legislature shall file a copy of the House shapefile enacted by the Legislature with the lieutenant governor's office.

(b) The legal boundaries of House districts are contained in the House shapefile on file with the lieutenant governor's office.

(2) (a) The lieutenant governor shall:

(i) generate maps of each House district from the House shapefile; and

(ii) ensure that those maps are available for viewing on the lieutenant governor's website.

(b) If there is any inconsistency between the maps and the House shapefile, the House shapefile is controlling.

Amended by Chapter 382, 2013 General Session

36-1-202.2. County clerk, Automated Geographic Reference Center, and lieutenant governor responsibilities -- Maps and voting precinct boundaries.

(1) As used in this section, "redistricting boundary data" means the House shapefile.

(2) Each county clerk shall obtain a copy of the redistricting boundary data for the clerk's county from the lieutenant governor's office.

(3) (a) A county clerk may create one or more county maps that identify the boundaries of House districts as generated from the redistricting boundary data.

(b) Before publishing or distributing any map or data created by the county clerk that identifies the boundaries of House districts within the county, the clerk shall submit the county map and data to the lieutenant governor and to the Automated Geographic Reference Center for review.

(c) Within 30 days after receipt of a county map and data from a county clerk,

the Automated Geographic Reference Center shall:

(i) review the county map and data to evaluate if the county map and data accurately reflect the boundaries of House districts established by the Legislature in the redistricting boundary data;

(ii) determine whether the county map and data are correct or incorrect; and

(iii) communicate those findings to the lieutenant governor.

(d) The lieutenant governor shall either notify the county clerk that the county map and data are correct or notify the county clerk that the county map and data are incorrect.

(e) If the county clerk receives notice from the lieutenant governor that the county map and data submitted are incorrect, the county clerk shall:

(i) make the corrections necessary to conform the county map and data to the redistricting boundary data; and

(ii) resubmit the corrected county map and data to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection (3).

(4) (a) Subject to the requirements of this Subsection (4), each county clerk shall establish voting precincts and polling places within each House district according to the procedures and requirements of Section 20A-5-303.

(b) Within five working days after approval of voting precincts and polling places by the county legislative body as required by Section 20A-5-303, each county clerk shall submit a voting precinct map identifying the boundaries of each voting precinct within the county to the lieutenant governor and to the Automated Geographic Reference Center for review.

(c) Within 30 days after receipt of a voting precinct map from a county clerk, the Automated Geographic Reference Center shall:

(i) review the voting precinct map to evaluate if the county map accurately reflects the boundaries of House districts established by the Legislature in the redistricting boundary data;

(ii) determine whether the voting precinct map is correct or incorrect; and

(iii) communicate those findings to the lieutenant governor.

(d) The lieutenant governor shall either notify the county clerk that the voting precinct map is correct or notify the county clerk that the voting precinct map is incorrect.

(e) If the county clerk receives notice from the lieutenant governor that the voting precinct map is incorrect, the county clerk shall:

(i) make the corrections necessary to conform the voting precinct map to the redistricting boundary data; and

(ii) resubmit the corrected voting precinct map to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection (4).

Amended by Chapter 382, 2013 General Session

36-1-203. Omissions from maps -- How resolved.

(1) If any area of the state is omitted from a Utah House of Representatives

district in the House shapefile enacted by the Legislature, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate House district according to the requirements of Subsections (2) and (3).

(2) If the omitted area is surrounded by a single House district, the county clerk shall attach the area to that district.

(3) If the omitted area is contiguous to two or more House districts, the county clerk shall attach the area to the district that has the least population, as determined by the Utah Population Estimates Committee.

(4) The county clerk shall certify in writing and file with the lieutenant governor any attachment made under this section.

Amended by Chapter 382, 2013 General Session

36-1-204. Uncertain boundaries -- How resolved.

(1) As used in this section:

(a) "Affected party" means:

(i) a representative whose Utah House of Representatives district boundary is uncertain because the feature used to establish the district boundary in the House shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the representative or another person resides in a particular House district;

(ii) a candidate for representative whose House district boundary is uncertain because the feature used to establish the district boundary in the House shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the candidate or another person resides in a particular House district; or

(iii) a person who is uncertain about which House district contains the person's residence because the feature used to establish the district boundary in the House shapefile has been removed, modified, or is unable to be identified.

(b) "Feature" means a geographic or other identifiable tangible or intangible object such as a road or political subdivision boundary that is used to establish a House district boundary.

(2) (a) An affected party may file a written request petitioning the lieutenant governor to determine:

(i) the precise location of the House district boundary;

(ii) the number of the House district in which a person resides; or

(iii) both Subsections (2)(a)(i) and (ii).

(b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review:

(i) the House shapefile; and

(ii) other relevant data such as aerial photographs, aerial maps, or other data about the area.

(c) Within five days of receipt of the request, the lieutenant governor shall:

(i) review the House shapefile;

(ii) review any relevant data; and

(iii) make a determination.

(d) When the lieutenant governor determines the location of the House district

boundary, the lieutenant governor shall:

(i) prepare a certification identifying the appropriate House district boundary and attaching a map, if necessary; and

(ii) send a copy of the certification to:

(A) the affected party;

(B) the county clerk of the affected county; and

(C) the Automated Geographic Reference Center created under Section 63F-1-506.

(e) If the lieutenant governor determines the number of the House district in which a particular person resides, the lieutenant governor shall send a letter identifying that district by number to:

(i) the person;

(ii) the affected party who filed the petition, if different than the person whose House district number was identified; and

(iii) the county clerk of the affected county.

Amended by Chapter 382, 2013 General Session